

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

2008 MAY 29 AM 10:17

United States of America

v.

Preston Irving Payne

Date of Previous Judgment: January 30, 2002
(Use Date of Last Amended Judgment if Applicable)

)
)
) Case No: CR401-00207-001
) USM No: 10862-021
) G. Terry Jackson
) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 108 months is reduced to 87 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 27 Amended Offense Level: 25
Criminal History Category: III Criminal History Category: III
Previous Guideline Range: 87 to 108 months Amended Guideline Range: 70 to 87 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

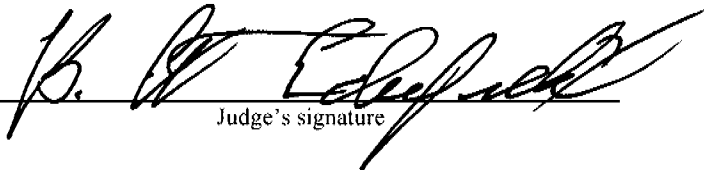
III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated January 30, 2002, shall remain in effect.

IT IS SO ORDERED.

Order Date: May 29, 2008

Effective Date: _____
(if different from order date)


Judge's signature

B. Avant Edenfield
United States District Judge
For the Southern District of Georgia
Printed name and title